



April 10, 2009

ENGROSSED SENATE BILL No. 164

DIGEST OF SB 164 (Updated April 7, 2009 5:28 pm - DI 14)

Citations Affected: IC 9-13.

Synopsis: Definition of relevant market area. Defines "relevant market area" for purposes of IC 9-23-3.

Effective: Upon passage.

Steele, Nugent
(HOUSE SPONSORS — AUSTIN, BELL)

January 7, 2009, read first time and referred to Committee on Rules and Legislative Procedure.

January 8, 2009, amended; reassigned to Committee on Corrections, Criminal and Civil Matters.

February 12, 2009, reported favorably — Do Pass.

February 17, 2009, read second time, amended, ordered engrossed.

February 18, 2009, engrossed.

February 19, 2009, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

February 25, 2009, read first time and referred to Committee on Public Policy.

April 9, 2009, reported — Do Pass.

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April 10, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 164

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-13-2-151.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 151.5. "Relevant market area", for purposes of IC 9-23-3, means the following:

(1) With respect to a

(A) ~~proposed new motor vehicle dealer in a county having a population of more than one hundred thousand (100,000); or~~

(B) new motor vehicle dealer who plans to relocate the dealer's place of business in a county having a population of more than one hundred thousand (100,000),

the area within a radius of six (6) miles of the intended site of the ~~proposed~~ or relocated dealer. The six (6) mile distance shall be determined by measuring the distance between the nearest surveyed boundary of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the ~~proposed~~ or relocated new motor vehicle dealer's place of business.

(2) With respect to a:

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1 (A) proposed new motor vehicle ~~dealer in a county having~~
 2 ~~a population that is not more than one hundred thousand~~
 3 ~~(100,000); dealer; or~~
 4 (B) new motor vehicle dealer who plans to relocate the
 5 dealer's place of business in a county having a population
 6 that is not more than one hundred thousand (100,000);
 7 the area within a radius of ten (10) miles of the intended site of
 8 the proposed or relocated ~~dealer, or the county line, whichever~~
 9 ~~is closer to the intended site; dealer.~~ The ten (10) mile distance
 10 shall be determined by measuring the distance between the
 11 nearest surveyed boundary line of the existing new motor vehicle
 12 dealer's principal place of business and the nearest surveyed
 13 boundary line of the proposed or relocated new motor vehicle
 14 dealer's principal place of business.
 15 **SECTION 2. An emergency is declared for this act.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 164, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Corrections, Criminal and Civil Matters.

(Reference is to SB 164 as introduced.)

LONG, Chairperson

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 164, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 164 as printed January 9, 2009.)

STEELE, Chairperson

Committee Vote: Yeas 6, Nays 4.

SENATE MOTION

Madam President: I move that Senate Bill 164 be amended to read as follows:

Page 1, line 4, delete ":".

Page 1, line 7, reset in roman "new motor vehicle dealer who plans to relocate the dealer's".

Page 1, reset in roman lines 8 through 9.

Page 1, line 9, delete ";" and insert ",".

Page 1, reset in roman line 10.

Page 1, line 11, reset in roman "relocated dealer. The six (6) mile

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distance shall be".

Page 1, reset in roman lines 12 through 14.

Page 1, line 15, reset in roman "line of the".

Page 1, line 15, reset in roman "relocated new motor vehicle dealer's".

Page 1, reset in roman lines 16 through 17.

Page 2, line 5, reset in roman "business in a county having a population".

Page 2, reset in roman line 6.

Page 2, delete line 7.

(Reference is to SB 164 as printed February 13, 2009.)

STEELE

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 164, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

VAN HAAFTEN, Chair

Committee Vote: yeas 7, nays 0.

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